

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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EDDIE GOMEZ and OLGA PADILLA,

Plaintiffs,

-v-

11-CV-0476Sr

BRIAN FISCHER, et al.,

Defendants.

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**DECISION AND ORDER**

Plaintiff, Olga Padilla, appearing pro se in this matter along with her husband, plaintiff Eddie Gomez, has filed a notice giving Gomez her "power of . . . attorney" and authorizing Gomez to submit and sign all further pleadings in this action on her behalf and that any filings or submissions by the Court and defendants be served on Gomez only. (Docket No. 11.) "[B]ecause pro se means to appear for one's self, a person may not appear on another person's behalf in the other's cause . . .", *Iannaccone v. Law*, 142 F.3d 553, 558 (2d Cir.1998) (citation omitted), a power of attorney does not allow a person (Gomez) to proceed *pro se* on behalf of the principal (Padilla), *Clark v. Burge*, 2007 WL 1199475, at \*2 (W.D.N.Y., April 19, 2007) (citations omitted).

Accordingly, if Padilla wishes to remain a party to this litigation both she and Gomez must sign all future pleadings and she must appear at all future proceedings in this Court. She may, however, request permission to appear by telephone.

**SO ORDERED.**

DATED: Buffalo, New York  
April 18, 2013

s/ H. Kenneth Schroeder, Jr.  
**H. KENNETH SCHROEDER, JR.**  
United States Magistrate Judge